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10/785,382	02/23/2004	Justin T. Nguyen	22950-08898	6513
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FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			ALVAREZ, RAQUEL	
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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/785,382

Filing Date: February 23, 2004

Appellant(s): NGUYEN ET AL.

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Jie Zhang  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 3/11/2008 appealing from the Office action  
mailed 6/6/2007.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

No amendment after final has been filed.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

5,960,406

RASANKY et al.

09-1999

"LEUKEMIA SOCIETY: Cocktail Party to Benefit Linsey Smith--10 Year Old Leukemia Patient" News/Assignment/Lifestyle Editors and Health/Medical Writers, September 18, 1997.

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-25, 52-66, 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasany et al. (5,960,406, hereinafter Rasany) in view of article titled "Leukemia Society: Cocktail party to benefit Linsey Smith---10 year old Leukemia patient" hereinafter Leukemia Society.

With respect to claims 1, 11-13, 22, 25, 52-63, 65-66, Rasany teaches an event planning process executed by a server system in a computer network including a plurality of user terminals communicatively coupled with the server system via the network (Figure 1A); providing an event planning user interface at a user terminal, the interface enabling a user to plan an event (col. 4, lines 14-19); receiving event information input by the user, said event information indicating a scheduled event, at least one invitee to be invited to said scheduled event and information required to attend said scheduled event (col. 5, lines 9-40); providing an invitation to said invitee, said invitation indicating said scheduled event and soliciting a response to said invitation (col. 2, lines 15-21).

Rasany teaches receiving a response to said invitation. Rasany doesn't specifically teach requiring RSVP fees to attend said scheduled event and an affirmative

response to said invitation requires a payment as defined by said RSVP fees. Leukemia Society teaches requiring RSVP fees of \$10.00 from attendees in order to confirm attendance to a charitable event. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included RSVP fees required to attend said scheduled event and an affirmative response to said invitation requires a payment as defined by said RSVP fees to the teachings of Rasanyak because such a modification would allow event planners to monitor ticket sales and revenues.

With respect to claim 64, Official notice is taken that it is old and well known to provide discounts to members for their patronage. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included membership discount to obtain the above mentioned advantage.

With respect to claims 2-4, 17, 20, 21, 23, 67-68, Rasanyak further teaches generating at least one event planning web page that is accessible at the user terminal via the network, said event planning web page including embedded code for providing said event planning graphical user interface and the invitee responds to the invitation through said web page, sending the link to said web page via e-mail (Home Page 350).

With respect to claim 5, Rasanyak further teaches sending a fax invitation and said fax invitation including a universal resource locator for accessing said incitation web page (see Figure 1B).

With respect to claims 6, 10., the claim further recites sending a post card, listing in a public directory with a universal resource location for accessing the invitation web page via the network. Official notice is taken that it is old and well known in the communication arts to have included a post card with the invitation including a universal resource locator for accessing the invitation web page via the network. For example, for certain wedding invitations, the invitee receives a post card or the like in which an URL is printed on the post card and the invitee can access the invitation by accessing the URL. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included sending a post card and via a fax or posting it in a public directory with a universal resource location for accessing the invitation web page via the network because such a modification would provide a lower cost process of invitation by allowing the invitee to access an URL rather than printing and mailing the actual invitation in order to save time and money.

With respect to claim 7, Rasanky further teaches enabling said invitee to respond to the invitation via telephone (col. 8, lines 18-27).

With respect to claim 8, further recites providing a plurality of invitation template each associated with the different event. Official notice is taken that providing a plurality of invitation template each associated with the different event would allow customization of the different events. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included providing a plurality of invitation template each associated with the different event in order to achieve the above mentioned advantage.

With respect to claim 9, Rasanky further teaches providing access to an address book associated with said user, said address book including a list of associated contacts and selecting invitation to said selected contacts (Figures 16A-21A).

Claims 14-16 further recite allowing the invitee to view information of other invitees, post messages for others to view and indicating if the invitees may forward invitations to others. Official notice is taken that it is old and well known for the host of the invitation to specify the rules of the invitations. For example, the host of the invitation to specify if the invitee can tell others or what information on the invitation can be share with others. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included allowing the invitee to view information of other invitees, post messages for others to view and indicating if the invitees may forward invitations to others in order to obtain the above mentioned advantage.

Claims 18-19 further recite determining convenience fees to be paid to administrators of the server system based on sales of said tickets to said invitees and indicating whether said convenience fees are to be paid from proceeds of tickets sales or whether said convenience fees are to be passed to said invitees. Official notice is taken that it is old and well known in marketing to determine if the proceeds or profits of sales should be paid to the administrators or passed on to the customers passing the convenience fees/profits to the customers would motivate/increase customer's loyalty.

**(10) Response to Argument**

Appellant argues that Leukemia Society doesn't teach or suggest receiving and verifying RSVP payment information from invitees. The Examiner disagrees with Appellant because Leukemia Society clearly teaches an invitation to Cocktail Party to Benefit Linsey Smith---a 10 year old with Leukemia, the invitation requires an admission fee of \$10.00 to be RSVP to Deborah Lee, the receipt of \$10.00 admission fee is the affirmative response that the invitee will attend the event.

Appellant argues that the combination of Rasanky and Leukemia Society doesn't teach an event planning process that enables an event planner to provide an invitation to an invitee based on information provided by the planner, an affirmative response to the invitation requiring a payment of a RSVP fee, and verifies the RSVP fee payment. The Examiner disagrees with Appellant because Rasanky clearly teaches providing an event planning user interface at a user terminal, the interface enabling a user to plan an event (col. 4, lines 14-19); receiving event information input by the user, said event information indicating a scheduled event, at least one invitee to be invited to said scheduled event and information required to attend said scheduled event (col. 5, lines 9-40); providing an invitation to said invitee, said invitation indicating said scheduled event and soliciting a response to said invitation (col. 2, lines 15-21). Rasanky teaches receiving a response to said invitation. Rasanky doesn't specifically teach requiring RSVP fees to attend said scheduled event and an affirmative response to said invitation requires a payment as defined by said RSVP fees. Leukemia Society teaches requiring RSVP fees of \$10.00 from attendees in order to confirm attendance to a charitable event. Therefore the combination of Rasanky and Leukemia Society teaches the claimed limitations.

Appellant argues that Rasanky doesn't teach the limitations of dependent claims 3, 17, 20-21, 23 and 67 which recites prompting an invitee to view the invitation web page and enabling the invitee to respond to the invitation via the web page, enabling the invitee to forward said invitation to other people and generating a report. The Examiner disagrees with Appellant because the invitee receives an e-mail linking the invitee to web site 350, from website 350, the invitee is "**can request various services from the system**" some of those services can be to view calendar and request various action or services such as responding to the invitation, forwarding the invitation and for the event planner to create/generate a report etc.(see Figure 2A-5 and 14 ).

Appellant argues that Rasanky doesn't teach the limitations of dependant claims 12-13 which recites prompting a user to specify a question for the invitee and that the invitation web page enables the invitee to provide a response to a question from said invitee and enabling said other invitee to view said responses and prompting the user to specify a maximum number of invitees. The Examiner wants to point out that Rasanky the invitee receives an Email with a link to the invitation, the invitee respond to the invitation by specifying his ability to attend the event and the response is added to the web site (Figure 11) **one record that allows both (or many) parties to view the responses** (Abstract). On figure 16A, the event planner adds the invitees to the system.

Appellant argues that the references do not teach the limitations of claim 24 of generating and transmitting event report information for the selected event. The Examiner disagrees with Applicant because Rasanky teaches on Figure 4 generating and displaying a detailed report of the scheduled calendar events.

With respect to the Official Notices taken on the details of the event planning systems such sending post cards of the event, determining a fee to be paid to server administrators and creating invitation templates, the Examiner has provided examples of the well known facts and Appellant hasn't provided a proper challenge that would at least cast reasonable doubt that the known facts weren't known prior to Applicant's invention. See MPEP 2144.03.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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4/7/2008

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